

Petitioner: ACNR Holdings, Inc., 46226 National Road, St. Clairsville, OH 43950.

Mines: Ohio County Mine, MSHA ID No. 46–01436, located in Marshall County, West Virginia; Marshall County Mine, MSHA ID No. 46–01437, located in Marshall County, West Virginia; Marion County Mine, MSHA ID No. 46–01433, located in Marion County, West Virginia; Harrison County Mine, MSHA ID No. 46–01318, located in Wetzel County, West Virginia.

Regulation Affected: 30 CFR 75.1002(a), Permissible electric equipment.

Modification Request: The petitioner requests a modification of the application of 30 CFR 75.1002(a) to allow the use of an alternative method of respirable dust protection. Specifically, the petitioner is requesting to utilize the 3M Versaflo TR–800 Powered Air Purifying Respirator (PAPR) to be used within 150 feet of pillar workings or longwall faces.

The petitioner states that:

(a) The 3M Versaflo TR–800 Powered Respirator is an intrinsically safe Powered Air Purifying Respirator (PAPR) which is certified by UL under the ANSI/UL 60079–11 standard to be used in hazardous locations because it meets the intrinsic safety protection level and is acceptable in other jurisdictions to use in mines with the potential for methane accumulation.

(b) ACNR Holdings, Inc. currently has approved petitions for modification pertaining to 30 CFR 75.500(d), 75.507–1(a) and 75.1002(a) to utilize the CleanSpace EX in areas where permissible equipment is used.

(c) ACNR Holdings, Inc. previously used the 3M airstream helmets to provide miners respirable dust protection on the longwall faces.

(d) 3M has discontinued the Airstream helmet and there are no other MSHA approved PAPRs available.

The petitioner proposes the following alternative method:

(a) The equipment shall be examined at least weekly by a qualified person according to 30 CFR 75.512–2 and examination results shall be recorded weekly and may be expunged after one year.

(b) A qualified person under 30 CFR 75.151 shall monitor for methane as is required by the standard in the affected area of the mine.

(c) If methane is detected in concentrations of 1.0 percent or more, procedures in accordance with 30 CFR 75.323 shall be followed.

(d) The examinations for the Versaflo TR–800 PAPRs shall include:

(1) Check the equipment for any physical damage and the integrity of the case;

(2) Remove the battery and examine for corrosion;

(3) Inspect the contact points to ensure a secure connection to the battery;

(4) Reinsert the battery and power up and shut down to ensure proper connections;

(5) Check the battery compartment cover or battery attachment to ensure that it is securely fastened; and

(6) For equipment utilizing lithium type cells, ensure that lithium cells and/or packs are not damaged or swollen.

(e) The 3M Versaflo TR–800 PAPR shall only use the 3M TR–830 battery pack or manufacturer equivalent.

(f) Before each shift when the Versaflo TR–800 is to be used, all batteries and power units for the equipment shall be charged sufficiently for the expected usage on that shift. If spare battery packs for the Versaflo TR–800 PAPR are provided, all battery “change outs” shall occur in intake air outby the last open crosscut.

(g) The following maintenance and use conditions shall apply to equipment containing lithium-type batteries:

(1) The TR–830 Battery Pack shall not be disassembled or modified by anyone other than permitted by the manufacturer of the equipment.

(2) The TR–830 Battery Pack shall be charged only on the surface of the mine and only using a manufacturer’s recommended battery charger shown below or manufacturer equivalent.

(i) 3M Battery Charger TR–641N.

(ii) 3M 4-Station battery charger TR–644N.

(3) The Versaflo TR–800 PAPR, including the internal battery, shall be used, charged, or stored in locations where the manufacturer’s recommended temperature limits are not exceeded.

(4) The TR–830 battery pack shall not be used at the end of its life cycle (*i.e.*, when there is a performance decrease of greater than 20% in battery-operated equipment). The battery pack shall be disposed of properly.

(h) Miners will receive training regarding how to safely use, care for, inspect the PAPR, and the Proposed Decision and Order (PDO) before using equipment in the relevant part of the mine. A record of the training shall be kept and available upon request.

The miners at Ohio County Mine, Marshall County Mine, Marion County Mine, and Harrison County Mine are represented by a representative of miners. A copy of the petition for modification was presented to the representatives of miners for Ohio

County Mine and Marion County Mine on February 10, 2025. A copy of the petition for modification was presented to the representatives of miners for Marshall County Mine and Harrison County Mine on February 13, 2025.

In support of the proposed alternative method, the petitioner has also submitted the manufacturer spec sheets for the 3M Versaflo TR–800 PAPR.

The petitioner asserts that the alternative method will guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025–06734 Filed 4–17–25; 8:45 am]

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DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by 3M Company.

DATES: All comments on the petition must be received by MSHA’s Office of Standards, Regulations, and Variances on or before May 19, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA–2025–0039 by any of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA–2025–0039.

2. *Fax:* 202–693–9441.

3. *Email:* petitioncomments@dol.gov.

4. *Regular Mail or Hand Delivery:*

MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist’s desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards,

Regulations, and Variances at 202–693–9440 (voice), *Petitionsformodification@dol.gov* (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and Title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2025–003–M.

Petitioner: 3M Company, 18750 Minnesota Road, Corona, CA 92881.

Mine: 3M Corona Plant, MSHA ID No. 04–00191, located in Riverside County, California.

Regulation Affected: 30 CFR 56.13020, Use of compressed air.

Modification Request: The petitioner requests a modification of 30 CFR 56.13020 to implement a clothes cleaning booth process that has been jointly developed with and successfully tested by the National Institute for Occupational Safety and Health (NIOSH). The process utilizes controlled compressed air for the purpose of cleaning miners' dust laden clothing.

The petitioner states that:

(a) Contaminated worker clothing can be a major contributor to increased employee dust exposure based on data obtained from NIOSH.

(b) The petitioner wants to install three clothes cleaning booths at the 3M Corona Plant.

(c) The clothes cleaning process uses a regulated compressed air nozzle manifold at less than 30 pounds per square inch to blow dust from a worker's clothing. The process is performed in an enclosed booth, capturing the dust and then delivering it to a stack located outside the plant.

(d) The booth is under negative pressure with air moving downward away from the worker's breathing zone and no dust escapes to contaminate the work environment or other workers.

(e) The worker entering the booth is required to wear full indirect vented safety goggles, hearing protection, and a half mask respirator.

(f) No significant safety or health concerns have been identified because the eyes are protected by full seal goggles; the skin is protected by work clothes; hearing is protected by plugs or muffs; the lungs are protected by a respirator; and air is limited to 30 pounds per square inch, which is the Occupational Safety and Health Administration (OSHA) limit for cleaning purposes.

(g) Air monitoring has shown minimal to no respirable dust contamination inside the respirator during this process.

(h) Testing showed no increase in respirable dust levels anywhere inside the plant.

The petitioner proposes the following alternative method:

(a) Only miners trained in the operation of the NIOSH-tested clothes cleaning booth process shall be permitted to use the process.

(b) The petitioner shall incorporate clothes cleaning booth process training into their 30 CFR part 46 training plan.

(c) Miners entering the booth shall wear, at a minimum, eye protection in standard use (or safety glasses if using a powered air purifying respirator (PAPR)) within the plant, ear plugs or muffs for hearing protection, and respiratory protection. Respiratory protection means a full-face or half-mask respirator that meets or exceeds the minimum requirements of 30 CFR parts 56, 57, 60, 70, 71, 72, 75, and 90.

(d) The NIOSH-tested clothes cleaning booth process shall have a caution sign indicating that the use of respiratory protection, hearing protection, and safety goggles (or safety glasses if using a PAPR) are required before entering the booth.

(e) Air pressure through the spray manifold shall be limited to 30 pounds per square inch.

(f) The air spray manifold shall consist of 2" square quarter inch hot rolled steel tubing, capped at the base, actuated by an electrically controlled ball valve at the top, and provide a yield strength safety factor of more than 20 when compared to the 30 psig operating pressure.

(g) The air spray manifold shall contain 27 total nozzles of which 26 will be Spraying Systems Co. Nozzle No. AA727–23, 18.4 SCFM at 30 psig. The 27th and lowermost nozzle shall be

Spraying System Co. Nozzle No. AA707–23, 19.2 SCFM at 30 psig.

(h) The uppermost spray nozzle shall be located at a height of not more than 56 inches. This places the nozzle height at shoulder height for the 50th percentile male U.S. worker according to "Ergonomics—How to Design for Ease and Efficiency," 2nd Edition, Kroemer, K.H.E., Kroemer, H.B., Kroemer-Elbert, K.E., Prentice Hall, NJ, 2001. Those miners with shoulder height less than the 50th percentile male shall utilize the mechanical air spray deflector, which is quick, effective, and easy to use.

(i) Spray nozzles have been recessed into the manifold, which is designed to eliminate the possibility of incidental contact with the air nozzles during utilization of the clothes cleaning process.

(j) Airflow through the manifold during the cleaning cycle shall occur only if the measured differential pressure on the exhaust system and pressure on the main airline are within proper operating ranges. If at any time either the differential pressure or line pressure falls outside preset limits, the cleaning cycle shall automatically stop via an electrical interlock system.

(k) Airflow through the clothes cleaning booth shall be sufficient to maintain negative pressure during use of the clothes cleaning system in order to prevent contamination of the environment outside of the booth.

(l) The air receiver tank supplying air to the manifold system shall be of sufficient volume to permit not less than 20 seconds of continuous cleaning time.

(m) Airflow through the booth shall be in the downward direction, thereby moving contaminants away from the miner's breathing zone.

(n) Miners entering the NIOSH-tested clothes cleaning booth shall examine the valves and nozzle for damage or malfunction and ensure that the door is fully closed before opening the air valve. Any defects shall be repaired prior to the booth being used.

(o) The petitioner shall ensure that periodic maintenance checks are performed in accordance with the NIOSH recommendations contained within the "Clothes Cleaning Process Instruction Manual."

The miners at 3M Corona Plant are represented by a representative of miners. A copy of the petition for modification was presented to the representative of miners on February 28, 2025. The petition was also posted at the mine on February 28, 2025.

The petitioner asserts that the alternative method proposed will at all times guarantee no less than the same

measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2025–06721 Filed 4–17–25; 8:45 am]

BILLING CODE 4520–43–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by Wolf Run Mining, LLC.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before May 19, 2025.

ADDRESSES: You may submit comments identified by Docket No. MSHA–2025–0048 by any of the following methods:

1. *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments for MSHA–2025–0048.

2. *Fax:* 202–693–9441.

3. *Email:* petitioncomments@dol.gov.

4. *Regular Mail or Hand Delivery:*

MSHA, Office of Standards, Regulations, and Variances, Room C3522, 200 Constitution Ave. NW, Washington, DC 20210.

Attention: S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202–693–9440 (voice), Petitionsformodification@dol.gov (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and Title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2025–027–C

Petitioner: Wolf Run Mining, LLC, 21550 Barbour County Highway, Philippi, WV 26416.

Mine: Leer South Mine, MSHA ID No. 46–04168, located in Barbour County, West Virginia.

Regulation Affected: 30 CFR 75.1002(a), Permissible electric equipment.

Modification Request: The petitioner requests a modification of 30 CFR 75.1002(a) to allow the use of an alternative method of respirable dust protection. Specifically, the petitioner is requesting to use the 3M Versaflo TR–800 Intrinsically Safe Powered Air Purifying Respirator (PAPR) and the CleanSpace EX PAPR.

The petitioner states that:

(a) Currently Wolf Run Mining, LLC, uses the 3M Airstream helmet to provide additional protection for its miners against exposure to respirable coal mine dust. There are clear long-term health benefits from using such technology. One of the benefits of PAPRs is that they provide a constant flow of air inside the headtop or helmet. This constant airflow helps to provide both respiratory protection and comfort in hot working environments.

(b) 3M has elected to discontinue the Airstream helmet, replacing it with a Versaflo TR–800 intrinsically safe PAPR unit, which benefits from additional features and reduced weight. Because of its reduced weight, it provides significant ergonomic benefits.

(c) For more than 40 years the 3M Airstream Headgear-Mounted PAPR has been used by many mine operators to help protect their workers. During those years there have been technological advancements in products and services

for industrial applications. Recently 3M has indicated that they have been facing multiple key component supply disruptions for the Airstream product line that created issues with providing acceptable supply service levels. Because of those issues, 3M discontinued the Airstream in June 2020, and that discontinuation was global.

(d) 3M announced that February 2020 was the final time to place an order for systems and components and that June 2020 was the final date to purchase Airstream components.

(e) Currently there are no replacement 3M PAPRs that meet applicable MSHA standards for permissibility. Electronic equipment used in underground mines in potentially explosive atmospheres are required to be approved by MSHA in accordance with 30 CFR. 3M and other manufacturers do offer alternative products for many other environments and applications.

(f) Following the discontinuation, mines that currently use the Airstream do not have an MSHA-approved alternative PAPR to provide to miners.

(g) Application of the standard results in a diminution of safety at the mine.

(h) The 3M Versaflo TR–800 motor/blower and battery qualify as intrinsically safe in the U.S., Canada, and any other country accepting IECEx (International Electrotechnical Commission System for Certification to Standards Relating to Equipment for Use in Explosive Atmospheres) reports. The 3M Versaflo TR–800 has a blower that is UL-certified with an intrinsically safe (IS) rating of Division 1: IS Class I, II, III; Division 1 (includes Division 2) Groups C, D, E, F, G; T4, under the most current standard (UL 60079, 6th Edition, 2013). It is ATEX-certified with an IS rating of “ia.” (ATEX refers to European directives for controlling explosive 2 atmospheres.) It is rated and marked with Ex ia I Ma, Ex ia IIB T4 Ga, Ex ia IIIC 135 °C Da, –20 °C ≤ Ta ≤ +55 °C, under the current standard (IEC 60079).

(i) Wolf Run Mining, LLC, also requests a modification to permit the use of the CleanSpace EX powered respirator under the same conditions as it proposes with respect to the 3M Versaflo TR–800. It too has been determined to be intrinsically safe.

(j) The 3M Versaflo TR–800 is not MSHA approved as permissible, and 3M is not pursuing approval.

(k) The CleanSpace EX Power Unit is not MSHA approved as permissible, and CleanSpace is not pursuing approval.

(l) The standards for approval of these respirators are an acceptable alternative to MSHA's standards and provide an equivalent level of protection.